

PLANNING COMMISSION

ACTION MINUTES

TUESDAY, NOVEMBER 19, 2002

Chair Mathewson called the meeting to order at 7:02 p.m. at the Twin Pines Senior and Community Center.

1. ROLL CALL:

Present, Commissioners: Mathewson, Gibson, Feierbach, Frautschi, Parsons, Torre

Absent, Commissioners: Wiecha (arrived 7:06)

Present, Staff: Community Development Director Ewing (CDD), Principal Planner de Melo (PP), Associate Planner Swan (AP), City Attorney Savaree (CA), Recording Secretary Flores (RS)

2. AGENDA STUDY SESSION: None
3. AGENDA AMENDMENTS: None
4. COMMUNITY FORUM (Public Comments): None
5. CONSENT CALENDAR:

5A. Resolution of Appreciation for Madeline M. Petersen

Chair Mathewson presented Madeline with a Resolution and Plaque to thank her for her years of service. Madeline thanked the City of Belmont and appreciated the opportunity to serve on the Planning Commission from March 2000 to March 2002.

5B. Minutes of October 15, 2002

MOTION: By Commissioner Frautschi, seconded by Commissioner Gibson, to approve the Minutes of October 15, 2002.

Motion passed 4/1/2. Commissioner Wiecha absent, Commissioners Torre and Parsons abstained.

C Mathewson stated regarding item 6C Zoning Code Amendments, the Planning Commission would only be discussing the possibility to amend section 8.6.4 of the Zoning code. No specific comments or testimony would be taken on any specific location at this meeting.

6. PUBLIC HEARINGS:

6A. PUBLIC HEARING – 2520 DE KOVEN AVENUE – (*Continued from 11/06/02 meeting*)

To consider a Conditional Use Permit, Design Review, and Variance application to allow a Cingular Personal Communications Services wireless facility for the subject property. The project consists of location of panel antennas mounted on two poles attached to the Mid Peninsula Water District water tank, and a detached equipment shelter with a 13" omni directional roof mounted antenna. This project also includes co-location of this facility with two other wireless telecommunication facilities on the same site.

Appl. No.02-0034)

APN: 043-272-400; Zoned: R-1B (Single Family Residential)

CEQA Status: Categorical Exemption per Section 15303, Class 3(a)

Applicant: The Alaris Group for Cingular Wireless

Owner: Mid Peninsula Water District

PP de Melo summarized the staff report and verified that the two trees in question were Monterey Pines and not protected by ordinance. A new location for the pad and structure was located and was acceptable by the applicant and Mid Peninsula Water District. The City arborist was present during the site visit and concurs with the proposed new location. The applicant was amenable to additional landscaping as well.

Applicant, Talin Aghazarian was available for questions.

MOTION: By Commissioner Wiecha, second by Commissioner Torre, to close the Public

Hearing. Motion Passed.

MOTION: By Commissioner Torre, second by Commissioner Frautschi, to move the resolution by the Planning Commission of the City of Belmont approving a Conditional Use Permit, Variance and Design Review at 2520 De Koven Avenue with Conditions attached.

Ayes: Torre, Frautschi, Feierbach, Gibson, Parson, Wiecha, Mathewson

Noes: None

MOTION PASSED: 7/0

C Mathewson noted that this item can be appealed to the City Council within 10 days.

6B. PUBLIC HEARING – 1405 SOLANA DRIVE

To consider a Conditional Use Permit for the Charles Armstrong School to increase student enrollment from 220 to 260 students at an existing private school facility zoned Planned Development.

(Appl. No. PA2001-0106)

APN: 045-122-190

Zoned: PD (Planned Development)

CEQA Status: Negative Declaration

Applicant: Mary Lou Orr

Owner: Charles Armstrong School

AP Swan summarized the staff report and was available for questions.

AP Swan replied to C. Frautschi's question regarding what type of services were provided by congestion management agency; it was her understanding that it was a County Agency that gets involved if the generated trips exceeded 100.

C Gibson asked staff if there was anything in previous conditions that spoke to the size of the faculty and staff separate from the number of students.

AP Swan replied the previous actions did not limit the number of faculty. There was some mention in the staff report, however there were no conditions of approval that described the number of faculty or number of parking spaces.

Chair Mathewson referred to a public document that states that the current CUP is approved for 230 students and in another location states that there are facilities available for 242 students. He asked staff if this discrepancy causes a problem in any way. CDD Ewing replied that if the document is from an agency other than the City, then the only one of concern is the 220 limit of the City's CUP.

Applicant, Rosalee Whitlock briefly described the purpose and history of Charles Armstrong special education school. She stated the school had no intention of becoming a large school, over 250 students, and gave examples of traffic calming techniques the school was using to alleviate the traffic congestion. She was available along with her business manager, architect and traffic consultant for questions and agreed with staff's findings.

C Feierbach questioned the applicant's intentions for the future growth of the school.

Applicant Whitlock stated the goal is to replicate the school for other locations keeping the total number of students under 250.

The applicant replied to C Torre's question and stated that there were no regulations that require the school to keep classes to a maximum class size.

C Gibson asked the applicant to elaborate on her comment that the school plays an active part in the community. Ms. Whitlock responded that the kids do community service at Belmont nursing homes, participate in canned food drives, their facility is used for square dancing and other events, students are encouraged to do certain things in the neighborhood, neighbors are invited to a fall picnic and they have offered to have a neighborhood holiday event in December.

C Wiecha asked what percentage of students takes a train or a bus. Business Manager Mary Lou Orr responded that there are approximately three yellow cabs that shuttle students from the train and there are two bus lines. She estimated that less than 5% take the train or bus. C Wiecha asked the applicant to describe their specific plan to encourage carpooling and/or bus and train use. The applicant responded that they currently have a mentoring program where middle school students work with some of the 4th and 5th graders to help them ride the train, and they have ongoing communication with parents to facilitate carpools.

Responding to C Parsons' question, the applicant stated that the school's restroom facilities and parking lot are available to the public on weekends to accommodate soccer tournaments and other activities in the park.

Chair Mathewson asked how many staff and faculty would be added if the additional number of students is approved. The applicant stated that she is not sure they would ever go to 250 as it is not desirable for the school, but if they did go to 250-255 they would probably need two additional faculty members.

C Wiecha questioned why they are asking for a CUP for 260 students if they have no desire to reach that level. The applicant responded that they have the space to handle that many children so they were just thinking about the future. They thought there might come a time when they would want to go to 260, so if we're going to go through this process it seemed better to do it right now.

Chair Mathewson asked the applicant to comment on his earlier question about the document that says they are already servicing 230 or 242 students. Ms. Orr responded that she and Ms. Whitmore are both relatively new to the school and had no idea that there was a limitation on enrollment. She added that in June of 2001 is when they learned that the limit was 220 and that there are currently 231 students enrolled and that these students are at the school most of the time.

Chair Mathewson opened the public hearing and established a 2½-minute time limit for speakers.

The following people spoke in support of the proposal and of the programs at Charles Armstrong School:

1. Shmulik Fishman, San Francisco resident and graduate of the school.

Laura Kramer, 2712 St. James Rd., Belmont resident and parent of a student at the school.

Celia Crom, 3 Mulberry Ct., #13, resident and parent. Added that staff consistently tells parents about parking issues, and believes that traffic issues are related more to Carlmont High School.

Robert Abromovits, 2501 Casa Bona, resident and parent.

Tom Diridon, 1940 Ralston. Added that he feels traffic impact of 20-30 additional students would be negligible.

Earling De Graft, 2319 Coronet, resident and parent.

7. Larry Miller, owner of building at 1200 6th Avenue, resident of San Mateo, and parent.

8. Russell Smith, 301 Oxford Way, #28, and employee of the school. Added that the school has staff on street helping with the traffic in the morning.

9. Deborah Adomis, 2601 Read Avenue, resident and parent.

The following people spoke in opposition to the proposal for increased enrollment, primarily due to traffic, safety and noise issues and for other reasons as stated below:

Chuck Horton, 1050 Chula Vista. Added opposition to commercial venture in a residential neighborhood.

2. Margaret Allen, 1508 Chula Vista. Added that she does not believe the school facilities are available to the neighborhood in August and that summer playgrounds have been lost.

3. Richard Huff, 1408 Solana Drive. Added that he feels that, instead of discussing their expansion, efforts the school should be examining their long-standing, highly negative impact on the neighborhood.

Chris Wozniak, 1408 Solana Drive. Submitted letter and petition with 50 signatures from neighbors in opposition to the expansion.

Don Jones, 1815 Valdez.

Julie Hughes, 1532 Desvio Way. Added concern about accessibility for emergency vehicles, and suggested that if the school wants to expand they should open another campus elsewhere.

Diane Cittadini, 1005 Misty Lane. Added that if they want more students they should open at another location.

Chair Mathewson invited a representative from Fehr and Peers, traffic consultant on this project, to address the Commission. Katherine Link was available to answer questions. C Wiecha confirmed with Ms. Link that the projected increased delay is about 4 seconds in the morning and 1 second in the evening at the Alameda de Las Pulgas/Chula Vista intersection, and a 15-second delay at Ralston/Chula Vista with no additional degradation of the level of service. The traffic impacts were therefore considered insignificant. Ms. Link added that the project would add less than 1% of additional traffic to the Ralston /Chula Vista and no more than 2% to Alameda/Chula Vista.

C Gibson commented on the methodology used, noting that Level F is as bad as it gets; if it's already at Level F there's no change as there is no Level G. Ms. Link reminded him that the project adds less than 1% of new trips through the intersection.

Applicant Whitlock returned to the microphone and stated that Charles Armstrong is just a school in a neighborhood, not commercial, and they are a non-profit organization whose primary goal is to educate children. As citizens of Belmont they are very aware and sympathetic to the traffic concerns, which are also huge for the faculty. They are doing everything they can to educate their faculty and parents about the traffic issues, and will continue to do so no matter what happens here. She feels that the issue is more of a community issue and hopes the Commission will keep that in mind.

MOTION: By Commissioner Wiecha to close the public hearing. Seconded by Commissioner Parsons. Motion passed.

C Wiecha commented as follows:

The school originally allocated to this site was of adequate size to provide education for 450 students and more than adequate for the student population increase that is being requested.

She has no reason to doubt the traffic consultant's analysis of the traffic volumes and the increase in traffic level that will be generated by this very small increase in enrollment.

Projects such as IHM, Sunrise and CND have had much more significant impacts on traffic, and it would be inconsistent to make a determination that this minor increase in traffic would have more of an impact.

It has always been her impression that K-9 schools are supposed to be located in residential neighborhoods. While a large portion of this enrollment comes from other locations, she would not think it appropriate or fair to students to go to an area that is zoned commercial or industrial, whether the educational institution is private or publicly run.

She will support the requested increase in use.

C Parsons concurred with C. Wiecha, adding that there is a much bigger issue here than just traffic. The school does some wonderful stuff, it is in a residential neighborhood and if this school were a public school and had 450 students the traffic would be horrendous. All the kids that live in the Charles Armstrong neighborhood go to some other school and they are impacting the other neighborhoods. He feels it is important that we give our kids the best education we can and that this school serves a good function and is good for Belmont. Looking at the environmental document, he could find no reason not to support this increase.

C Frautschi thanked the applicant and the 16 people who spoke, and felt it was helpful to get their input. He lives next door to Notre Dame Elementary School and understands the traffic issues, and feels that traffic is part of living by a school. He could find nothing in the environmental documents that would tell him that this would have any more significant impact than any other residential school in any other neighborhood in the City, and would have no problem supporting the increase in the student body at Armstrong School.

C Torre intends to vote for the increase for the reasons already articulated. She noted that the proposal is not whether there should be a school at that site – the project under CEQA is an increase of 30-40 students. She added that it is unusual to do a traffic study for this size of a project but it was done in this case because of the concerns in the neighborhood and the community. The traffic study confirms that there is not a significant impact under CEQA and she cannot find a reason to vote against it.

C Gibson commented as follows:

This is not a good place for this kind of school – it is not a neighborhood school in the sense of serving the neighborhood where it is located. It serves almost entirely students from outside of Belmont and therefore generates a lot of traffic and involves parents who are not residents or taxpayers in the City.

He observed the school from 7:30 a.m. to 8:30 a.m., watching what was going on on Solana Drive. He was most impressed – the traffic moved quite well, as there was a man at the curb directing traffic. It was a slow but steady movement of cars at a low speed without acceleration and without much noise. He saw no effect on Solana Drive in terms of traffic. Chula Vista is another story and he asked staff if they knew the status of the traffic calming measures being discussed by Public Works for that street. They did not. He suggested that perhaps it's time to look again at a signal on Ralston that might serve both the college entrance and Chula Vista.

He looked at the lights at night and felt that they were modest.

A solution needs to be found to the noise from trash service at 4:00 in the morning.

He would like to continue the item to have a cooling off period and to at least solve the garbage collection noise problem.

C Feierbach sees this as neighborhood vs. Armstrong parent testimonials. She would like to make the neighbors happy and allow the school to increase its enrollment to 260, and suggested a condition requiring that the school communicate with the neighbors on a periodic basis, and where a report of compliance is made to staff and/or the Planning Commission. Discussion ensued regarding procedures to assure compliance with conditions of approval.

Chair Mathewson made the following suggestions:

A forced mechanism such as regular meetings so that issues could be aired and compliance with conditions is monitored on a regular basis.

Addition of a condition limiting the school to grades K-9, so that there would be no student drivers to add to traffic, parking and safety issues.

Distribution of a school calendar so that the neighbors could plan around school dances and other events that would attract a large number of vehicles.

CDD Ewing polled the Commission and received a consensus to add the following conditions of approval: 1) an annual report of compliance with conditions. 2) A published quarterly calendar of special events; 3) an open house no less often than annually with advance mailing. 4) Staff will work on a condition that would prevent students from driving to school.

MOTION: By Commissioner Wiecha, seconded by Commissioner Parsons, approving a Resolution adopting a Negative Declaration of Environmental Significance for a student enrollment increase from 220 to 260 students at the Charles Armstrong School at 1405 Solana Drive.

Ayes: Wiecha, Parsons, Frautschi, Feierbach, Gibson, Torre, Mathewson

Noes: None

MOTION PASSED: 7/0

Chair Mathewson noted that the environmental document may be appealed to the City Council within ten days.

MOTION: By Commissioner Feierbach, seconded by Commissioner Parsons, to direct staff to come back at the next meeting with a resolution of approval of all of the conditions, including the addition of conditions requiring an annual report, no driving by students, a quarterly calendar and an open house.

Ayes: Feierbach, Parsons, Frautschi, Gibson, Torre, Wiecha, Mathewson

Noes: None

MOTION PASSED: 7/0

Chair Mathewson noted that these conditions do not become appealable to Council until after the motion of approval at the next meeting.

Chair Mathewson declared a recess at 9:08 p.m. Meeting resumed at 9:20 p.m.

6C. PUBLIC HEARING – ZONING CODE AMENDMENTS

To consider revisions to Section 8.4.6(a) (Auditoriums for Schools, Colleges, Churches and Other Places of Assembly) of the City of Belmont Zoning Code. The amendment will consider increasing the required parking for churches. Planning Commission recommendations will be forwarded to City Council for final action.

(Appl. No. 02-0067)

CEQA Status: Exemption per Section 15183

Applicant: City of Belmont

Chair Mathewson restated for the record that this item is only to consider the Zoning Code amendments about church parking. It does not deal with any specific project, and testimony will not be taken on any specific project. He asked that comments from the audience be limited to parking area requirements for churches.

PP de Melo summarized the staff report, noting that staff believes that the proposed Zoning Code modifications achieve the objectives of the Zoning Plan and the General Plan. CDD Ewing interjected that he had some additional comments on the staff recommendation, as a result of a conversation he had with the City Attorney with regard to the separation of parking standards for assembly uses and then a separate standard for religious assembly uses. There is concern that to distinguish religious assembly from other assembly is troublesome – that the traffic is an issue regardless of the purpose of the assembly. He is now suggesting that the change not be limited only to religious assembly but should be applied to all of the items in 8.4.6(a), which would be modified to read "Auditoriums for Schools, Colleges, Places of Worship and Other Places of Assembly". "One parking space for six permanent seats" would be deleted and replaced with items 1., 2, and 3 of PP de Melo's recommendation. The paragraph starting "Adequate space shall also be provided for buses..." would remain. CDD Ewing stated that there is Federal legislation that puts a burden on cities to not treat religious uses differently.

C Wiecha recommended that if substantial edits are going to be made to the current proposal, the item should be continued until the Zoning Amendment can be redrafted and the Commission and the public has an opportunity to review the proposed changes. She confirmed that with this change they would be revising the parking provisions for all meeting and assembly uses within the city.

C Torre stated that this change would affect a huge number of other projects and institutions in the City of Belmont and has not been noticed, so could not be voted on at this meeting.

C Feierbach asked how many entities would have to be notified of this item as revised. CDD Ewing responded that given that assembly uses are allowed in over a thousand lots in the City such that individual lots could not be noticed. A standard notice would need to be published. People in the audience who filled out a Request to Speak could be mailed notices as a courtesy.

Commissioners Wiecha and Torre felt that, since the concept has been largely expanded from the original direction from City Council, perhaps it would be appropriate to go back to the City Council and have a discussion at that level to see if they are interested in this expanded revision to the Zoning Ordinance. If they are, she would like to see an analysis of how that would impact existing and future uses of areas that

may be subject to auditoriums for schools, colleges and other places of assembly. She was specifically concerned about how it would apply to the Master Plan recently adopted for the College of Notre Dame.

CDD Ewing noted that this was a high priority with the Council and suggested that it be brought back to the Commission, and the Commission could make its recommendation to the Council based on the issues. C. Torre noted that it would concern her to render hundreds of institutions in the City non-compliant, and felt that the staff report brought back by staff should fully explore those consequences.

MOTION: By Commissioner Parsons, seconded by Commissioner Feierbach, to continue this item to a date to be noticed.

Ayes: Parsons, Feierbach, Frautschi, Gibson, Wiecha, Mathewson, Torre

Noes: None

Motion passed 7/0

CDD Ewing stated that everyone in the audience who fills out a Request to Speak will be mailed a copy of the future meeting notice, and apologized for the late development.

7. REPORTS, STUDIES, UPDATES, AND COMMENTS

a) Chair Mathewson thanked the Commission for being brief with their comments on the long item.

b) Chair Mathewson noted that in the recent past there have been several instances where items were raised by Commissioners that left staff scrambling to come up with answers at the meetings. To prevent such occurrences in the future he strongly encouraged the Commissioners to either email or phone questions in to staff at the earliest possible time after receipt of the staff reports so that staff can be fully prepared with answers, and to allow the Commission to complete rather than continue as many agenda items as possible.

8. PLANNING COMMISSION LIAISON TO CITY COUNCIL MEETING OF TUESDAY,

November 26, 2002.

Liaison: Commissioner Gibson

Alternate Liaison: Commissioner Parsons

9. ADJOURNMENT:

The meeting adjourned at 9:55 p.m. to a regular meeting on Tuesday, December 3, 2002 at 7:00 p.m. at Twin Pines Senior and Community Center.

Craig A. Ewing, AICP

Planning Commission Secretary

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in the Community Development Department

Please call (650) 595-7416 to schedule an appointment.

